

REMARKS

As a preliminary matter, the Examiner has objected to Claim 10 because of an informality. Claim 10 stands currently amended to correct this informality. Therefore, Applicant respectfully asserts that Claim 10 is now in acceptable form, and requests the Examiner remove the objection to Claim 10.

The Examiner has rejected claims 1, 2, 4-6, 9, 13, 14, 16-19, 21, and 22 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,116,723 to Childers ("Childers"). The Examiner has also rejected claims 7, 8, and 12 under 35 U.S.C. § 103(a) as being unpatentable over Childers in view of U.S. Patent No. 6,715,864 to Perkins et al. ("Perkins"). In addition, the Examiner has rejected claims 15, 23, and 24 under 35 U.S.C. § 103(a) as being unpatentable over Childers in view of U.S. Patent No. 3,730,240 to Presnick ("Presnick").

The Examiner has objected to Claims 3, 10, 11, and 20 as being dependent upon a rejected base claim. However, Examiner has conceded that claims 3, 10, 11, and 20 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. As a result, Claim 1 has been amended to include all the limitations of claims 2 and 3, and claims 2 and 3 have been canceled. In addition, Claim 10 is amended to be in independent form including the language of claims 1 and 9, and Claim 9 has been canceled. Claims 11 and 12 stand currently amended to correct their dependency. Furthermore, Claim 20 has been amended to be in independent form including the language of claims 1, 18, and 19, and claims 18 and 19 have been canceled. Claim 21 stands currently amended to correct its dependency. Moreover, Claim 23 has been amended to depend from Claim 10. Claims 29 and 30 are newly added. Claims 25-28 have been previously withdrawn from consideration.

Claims 1, 4-8, 10-17, and 20-30 are currently pending. The following remarks are considered by applicant to overcome each of the Examiner's outstanding rejections to current claims 1, 4-8, 10-17, 20-24, 29, and 30. An early Notice of Allowance is therefore requested.

I. SUMMARY OF RELEVANT LAW

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. The determination of obviousness rests on whether the claimed invention as a whole would have been obvious to a person of ordinary skill in the art at the time the invention was made. In determining obviousness, four factors should be weighed: (1) the scope and content of the prior art, (2) the differences between the art and the claims at issue, (3) the level of ordinary skill in the art, and (4) whatever objective evidence may be present. Obviousness may not be established using hindsight or in view of the teachings or suggestions of the inventor. The Examiner carries the burden under 35 U.S.C. § 103 to establish a prima facie case of obviousness and must show that the references relied on teach or suggest all of the limitations of the claims.

II. REJECTION OF CLAIMS 1, 4-6, 13, 14, 16, 17, 21, AND 22 UNDER 35 U.S.C. § 102(B)
BASED ON CHILDERS

On page 2 of the current Office Action, the Examiner rejects claims 1, 4-6, 13, 14, 16, 17, 21, and 22 under 35 U.S.C. § 102(b) as being anticipated by Childers. These rejections are respectfully traversed and believed overcome in view of the following discussion.

On page 12 of the current Office Action, Examiner indicated that claims 3 and 20 would be allowable if rewritten in independent form.

Independent Claim 1 has been amended to include the language of claims 2 and 3. Accordingly, Applicant respectfully asserts that independent Claim 1 is now in allowable form, as are claims 4-6, 13, 14, 16, 17, and 22 because of their ultimate dependency on Claim 1.

Similarly, Claim 20 has been amended to be in independent form. Accordingly, Applicant respectfully asserts that independent Claim 20 is now in allowable form, as are claims 21 and 22 because of their dependency on Claim 20.

Accordingly, Applicant respectfully asserts that claims 1, 4-6, 13, 14, 16, 17, 21, and 22 are now in allowable form. Therefore, Applicant respectfully requests that Examiner remove the rejections of claims 1, 4-6, 13, 14, 16, 17, 21, and 22 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,116,723 to Childers.

III. REJECTION OF CLAIMS 7, 8, AND 12 UNDER 35 U.S.C. § 103(A) BASED ON CHILDERS IN VIEW OF PERKINS

On page 8 of the current Office Action, the Examiner rejects claims 7, 8, and 12 under 35 U.S.C. § 103(a) as being unpatentable over Childers in view of Perkins. These rejections are respectfully traversed and believed overcome in view of the following discussion.

Claims 7 and 8 are each ultimately dependent upon independent Claim 1. As Claim 1 is allowable, so must be claims 7 and 8.

In addition, on page 12 of the current Office Action, Examiner indicated that Claim 10 would be allowable if rewritten in independent form. Claim 10 has been amended to be in independent form. Accordingly, Applicant respectfully asserts that independent Claim 10 is now in allowable form, as is Claim 12 because of its dependency on Claim 10.

Therefore, Applicant respectfully requests that Examiner remove the rejections of claims 7, 8, and 10 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,116,723 to Childers in view of U.S. Patent No. 6,715,864 to Perkins et al.

IV. REJECTION OF CLAIMS 15, 23, AND 24 UNDER 35 U.S.C. § 103(A) BASED ON CHILDERS IN VIEW OF PRESNICK

On page 10 of the current Office Action, the Examiner rejects claims 15, 23, and 24 under 35 U.S.C. § 103(a) as being unpatentable over Childers in view of Presnick. This rejection is respectfully traversed and believed overcome in view of the following discussion.

Claim 15 is dependent upon independent Claim 1. As Claim 1 is allowable, so must be Claim 15. Similarly, claims 23 and 24 are ultimately dependent upon independent Claim 10. As Claim 10 is allowable, so must be claims 23 and 24. Therefore, Applicant respectfully requests that Examiner remove the rejection of claims 15, 23, and 24 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,116,723 to Childers in view of U.S. Patent No. 3,730,240 to Presnick.

V. OBJECTION TO CLAIMS 10, 11, AND 20 AS BEING DEPENDENT UPON A REJECTED BASE CLAIM

On page 12 of the current Office Action, the Examiner objects to claims 10, 11, and 20 as being dependent upon a rejected base claim. These objections are respectfully traversed and believed overcome in view of the following discussion.

As stated above Claim 10 has been amended to be in independent form. Accordingly, Applicant respectfully asserts that independent Claim 10 is now in allowable form, as is Claim 11 because of its dependency on Claim 10. Similarly, Claim 20 has been amended to be in independent form. Accordingly, Applicant respectfully asserts that independent Claim 20 is now in allowable form.

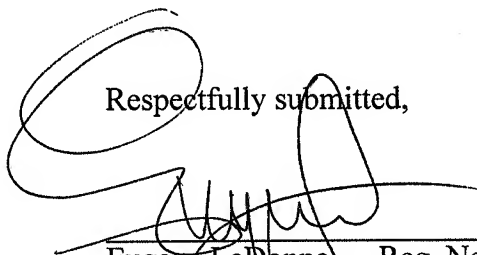
Therefore, Applicant respectfully requests that Examiner remove the objection to claims 10, 11, and 20 as being dependent upon a rejected base claim.

VI. NEW CLAIMS 29 AND 30

Claims 29 and 30 are ultimately dependent upon independent Claim 20. As Claim 20 is allowable, so must be claims 29 and 30. Therefore, Applicant respectfully requests that Examiner allow claims 29 and 30.

Based upon the above remarks, Applicant respectfully requests reconsideration of this application and its early allowance. Should the Examiner feel that a telephone conference with Applicant's attorney would expedite the prosecution of this application, the Examiner is urged to contact him at the number indicated below.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "Eugene LeDonne", is written over a horizontal line. The signature is stylized with a large loop at the beginning and a long horizontal stroke at the end.

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